

## Regulatory Language

Subsection (b) of Section 27.60, Title 14, CCR, is amended to read:

### **27.60. Limit.**

(a) General. No more than 20 finfish in combination of all species with not more than 10 of any one species, may be taken or possessed by any one person except as otherwise provided or as defined in subsection (e) below or in Section 195. (See Sections 27.70 through 28.62 for minimum size limits and poundage restrictions for certain species.)

(b) Within the overall bag limit of 20 fish, the following special limits apply:

(1) Rockfish, Cabezon, and Greenling complex (RCG complex), as defined in Section 1.91 -- 10 fish in total (also see Sections 27.82, 28.28, 28.29 and 28.55). Within the 10-fish RCG complex limit, the following sub-limits also apply: cabezon – three fish, greenlings of the genus *Hexagrammos* -- two fish, bocaccio – one fish, except in the Northern Rockfish and Lingcod Management Area (as defined in Section 27.82 (a)) where the sub-limit is two fish, canary rockfish – zero fish, cowcod – zero fish, and yelloweye rockfish – zero fish.

(2) For species other than those in the RCG complex, within the overall bag limit of 20 fish, the following special limits apply:

Zero fish	One fish	Two fish	Three Fish	Five Fish
giant (black) sea bass (except as provided in Section 28.10)	sturgeon (see Section 27.90)	salmon (except as provided in Section 27.80)	trout taken from ocean and bays (see Section 27.70)	California sheephead (see Section 28.26)
Garibaldi (see Section 28.05)	Pacific halibut (see Section 28.20)	striped bass (see Section 27.85)	white seabass (except as provided in Section 28.35)	California halibut (except as provided in Section 28.15)
gulf grouper (see Section 28.12)	marlin (see Section 28.50)	broadbill swordfish (see Section 28.40)	leopard shark (see Section 28.56)	surfperch--five fish in the aggregate of all species, except for shiner surfperch under 27.60 (c) below
broomtail grouper (see Section 28.12)	soupfin shark	blue shark		California scorpionfish (see Sections 27.82 and 28.54)
white shark (see Section 28.06)	sixgill shark	thresher shark		
	sevengill shark	shortfin mako shark		
	lingcod (see Sections 27.82 and 28.27)	lingcod (see Sections 27.82 and 28.27)		

(c) In addition to the overall bag limit of 20 fish, and special limits in subsection (b), the following special limits apply: Shiner surfperch-20.

(d) There is no limit on the following species: Albacore, anchovy, bluefin tuna, grunion, jacksmelt, topsmelt, petrale sole, Pacific butterfish (pompano), queenfish, sanddabs,

skipjack, jack mackerel, Pacific mackerel, Pacific staghorn sculpin, starry flounder, round herring, Pacific herring and Pacific sardine.

(e) Boat limit. When two or more persons that are licensed or otherwise authorized to sport fish in ocean waters off California or in the San Francisco Bay District, defined in Section 27.00, are angling for finfish aboard a vessel in these waters, fishing by all authorized persons aboard may continue until boat limits of those finfish identified under subsections (a) through (c) above are taken and possessed aboard the vessel as authorized under this section or Section 195, Title 14, CCR.

(1) The authorization for boat limits aboard a vessel does not apply to fishing trips originating in California where fish are taken in other jurisdictions.

(2) A boat limit for a species or species group identified in subsections (a) through (c) above is the number of persons aboard a vessel that are licensed or otherwise authorized to sport fish in ocean waters off California, or in waters of the San Francisco Bay District,

(see special conditions of Section 195, Title 14, CCR, applicable to operator and crew members of vessels licensed pursuant to Fish and Game Code 7920) multiplied by the individual daily bag limit authorized for a species or species group in those waters. With the exception of species listed in subsection (d) above, the total fish aboard a boat may not exceed the aggregate per-person daily bag limit of 20-finish in combination of all species times the number of anglers licensed or otherwise authorized to sport fish aboard the vessel. It is unlawful to exceed the boat limit at any time.

(3) All persons aboard a vessel may be cited where violations involving boat limits are found, including, but not limited to the following violations:

(A) Over limits

(B) Possession of prohibited species

(C) Violation of size limits

(D) Fish taken out of season or in closed areas.

(4) Upon completion of a fishing trip aboard a vessel, each licensed angler or person otherwise authorized to sport fish may not possess more than the individual daily bag and

possession limits defined in Section 1.17, Title 14, CCR and in subsections (a) through (c) above. For purposes of this section, a trip is completed at the time a person disembarks from a vessel and individual possession limits apply. Special boat limit provisions apply to persons fishing aboard commercial passenger fishing vessels reporting pursuant to Section 195, Title 14, CCR.

(5) Species or species groups for which no daily bag limit exists under subsection (d) above are not counted as part of a boat limit.

NOTE:

Authority cited: Sections 200, 202, 205, 215, 240 and 8587.1, Fish and Game Code.

Reference: Sections 200, 202, 205, 206, 215, 220, 240, 5517, 7120 and 8585.5, Fish and Game Code.

Section 27.65, Title 14, CCR, is amended to read:

**27.65. Filleting of Fish on Vessels.**

(a) Definition of Fillet: For the purpose of this section a fillet is the flesh from one side of a fish extending from the head to the tail which has been removed from the body (head, tail and backbone) in a single continuous piece.

(b) Fish That May be Filleted: No person shall fillet on any boat or bring ashore as fillets any fish, except in accordance with the following requirements:

(1) Kelp bass, sand bass, spotted bass, and ocean whitefish: All fillets shall be a minimum of six and one-half inches in length. Each fillet shall bear intact a one-inch square patch of skin.

(2) Barracuda: Fillets must be a minimum of 17 inches in length. Each fillet shall bear intact a one-inch square patch of silver skin.

(3) Lingcod. Lingcod fillets must be a minimum of ~~46~~21 inches in length. Each fillet shall bear intact a one-inch square patch of skin.

(4) White sea bass: Fillets must be a minimum of 19 inches in length. Each fillet shall bear intact a one-inch square patch of silver skin.

(5) Pacific bonito: No more than 10 fillets of any length may be possessed. All bonito fillets possessed shall be considered a part of the allowable undersized tolerance of five bonito per day less than 24 inches fork length or weighing less than five pounds as provided in Section 28.32 of these regulations. All fillets shall bear intact a one-inch square patch of skin.

(6) California halibut taken from or possessed aboard a vessel south of Point Arena (Mendocino County): Fillets must be a minimum of 16 and three-quarter inches in length and shall bear the entire skin intact. A fillet from a California halibut (flesh from one entire side of the fish with the entire skin intact) may not be cut in half fillets. However, a fillet may be cut lengthwise in a straight line along the midline of the fillet where the fillet was attached to the vertebra (backbone) of the fish only if the two pieces of a fillet remain joined along their midline for a length of at least two inches at one end of the fillet.

(7) Yellowtail: Fillets must be a minimum of 17 inches in length, except not more than 10 fillets may be less than 17 inches. Each fillet shall bear intact a one-inch square patch of skin.

(8) Rockfish: Fillets must have the entire skin attached. Brown-skinned rockfish: Fillets shall be a minimum of six and one-half inches in length. Bocaccio fillets must be a minimum of five inches in length.

(9) California scorpionfish (commonly termed "sculpin"): Fillets must be a minimum of five inches. Each fillet shall bear intact a one-inch square patch of skin.

(10) All other species except those listed in subsection (c) of this section: Each fillet shall bear intact a one-inch square patch of skin. The fillets may be of any size.

(c) Fish That May Not be Filleted: No person shall fillet on any boat or bring ashore as fillets the following fish: cabezon, kelp and rock greenlings, California halibut north of Point Arena (Mendocino County), and any species of flatfish, other than California

halibut, including Pacific and Greenland halibut, tonguefish, sole, turbot, flounder, and sanddab, and salmon, striped bass and sturgeon.

**NOTE:**

Authority cited: Sections 200, 202, 205, 215, 220, 240, 5508 and 5509, Fish and Game Code.

Reference: Sections 200, 202, 205, 206, 220, 240, 5508 and 5509, Fish and Game Code.

Section 27.82, Title 14, CCR, is amended to read:

**27.82. Management Areas, Seasons, Depths, Exceptions, and Fishery Closure Process Described.**

(a) Management areas and boundaries: Management areas and boundaries for rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, California sheephead, and ocean whitefish) are defined as follows:

(1) The Northern Rockfish and Lingcod Management Area means ocean waters between 42°00' N. lat. (the Oregon/California border) and 40°10' N. lat. (near Cape Mendocino, Humboldt County).

(2) The Central Rockfish and Lingcod Management Area means ocean waters between 40°10' N. lat. (near Cape Mendocino) and 34°27' N. lat. (at Point Conception, Santa Barbara County).

(3) The Southern Rockfish and Lingcod Management Area means ocean waters between 34°27' N. lat. (at Point Conception, Santa Barbara County) and the U.S./Mexico border including the Cowcod Conservation Areas defined in subsection (d) of this Section.

(b) Seasons and depth constraints (also see Section 27.83 for restrictions on fishing gear within Rockfish and Lingcod Management Areas): Fishing for rockfish, lingcod, and associated species limited to cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, California sheephead, and ocean whitefish is authorized in management areas during the following months and in the following water depths as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660), or by general depth contour lines:

(1) Northern Rockfish and Lingcod Management Area: ~~open January-December in all water depths.~~

(A) January-December: open in all water depths.

(B) November-December: lingcod may not be taken.

(2) Central Rockfish and Lingcod Management Area:

(A) January-February: open only in waters less than 30 fathoms in depth as described by general depth contour lines.

(B) March-April: closed in all water depths.

(C) May-August: open only in waters less than 20 fathoms in depth as described by general depth contour lines.

(D) September-December: open only in waters less than 30 fathoms in depth as described by general depth contour lines.

(E) November-December: lingcod may not be taken.

~~(E)~~(F) Waters less than 10 fathoms in depth as described by general depth contour lines around the Farallon Islands (off San Francisco and San Mateo counties), including Southeast Farallon Island, Middle Farallon Island, North Farallon Island and Noon Day Rock are closed to fishing at all times for rockfish, lingcod, and associated species limited to cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, California sheephead, and ocean whitefish.

~~(F)~~(G) Waters of the Cordell Bank (off Marin County), located at 38°02' N. lat., 123°25' W. long., and within a 5 nautical mile radius around this point, are closed to fishing at all times for rockfish, lingcod, and associated species limited to cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, California sheephead, and ocean whitefish.

(3) Southern Rockfish and Lingcod Management Area:

(A) January-February: closed in all water depths.

(B) March-December: open only in waters less than 60 fathoms in depth as described by lines connecting waypoints adopted in Federal regulations (50 CFR Part 660). Also see subsection (d) for special depth regulations in Cowcod Conservation Areas.

(C) May-October: California scorpionfish may not be taken.

(D) November-December: lingcod may not be taken.

(c) Exceptions: During seasonal area closures and in waters deeper than authorized in subsection (b), fishing for and possession of rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, California sheephead, and ocean whitefish) is prohibited, except as follows:

(1) In waters that exceed depths authorized in subsection (b), during open seasons within a management area specified in subsection (a), all species of rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, California sheephead, and ocean whitefish) may be possessed aboard vessels in transit with no fishing gear in the water.

(d) Cowcod Conservation Areas (CCAs) for recreational fisheries means waters which are 20 fathoms in depth and deeper within each of the following two areas. Area 1 is an area south of Point Conception that is bound by straight lines connecting the following points in the order listed:

33°50' N. lat., 119°30' W. long.;

33°50' N. lat., 118°50' W. long.;

32°20' N. lat., 118°50' W. long.;

32°20' N. lat., 119°37' W. long.;

33°00' N. lat., 119°37' W. long.;

33°00' N. lat., 119°53' W. long.;

33°33' N. lat., 119°53' W. long.;

33°33' N. lat., 119°30' W. long.;

33°50' N. lat., 119°30' W. long.;

and Area 2 is a smaller area west of San Diego that is bound by straight lines connecting the following points in the order listed:

32°42' N. lat., 118°02' W. long.;

32°42' N. lat., 117°50' W. long.;

32°36' 42" N. lat., 117°50' W. long.;

32°30' N. lat., 117°53'30" W. long.;

32°30' N. lat., 118°02' W. long.;

32°42' N. lat., 118°02' W. long.;

At no time may rockfish, lingcod, and associated species (limited to cabezon, greenlings of the genus *Hexagrammos*, California scorpionfish, California sheephead, and ocean whitefish) be taken or possessed while fishing in waters 20 fathoms or greater in depth as described by general depth contour lines in the Cowcod Conservation Areas (see Section 27.83 for restrictions on fishing gear within the Cowcod Conservation Areas).

(e) **Fishery closure:** When the department determines, based on the best available scientific information, that an annual harvest limit [optimum yield (OY) or harvest guideline] established in regulation by the NOAA Fisheries (National Marine Fisheries Service) for lingcod, rockfish, cabezon, or a subgroup of rockfish, and/or California scorpionfish, in the California recreational fishery has been exceeded or is projected to be exceeded prior to the end of the year, the department may close the recreational fishery for lingcod, rockfish, a subgroup of rockfish, California scorpionfish, cabezon, greenlings of the genus *Hexagrammos*, California sheephead, ocean whitefish, and/or any federal groundfish as defined in Title 50, Code of Federal Regulations (CFR) Part 660.302 in all or part of the Northern, Central, or Southern Rockfish and Lingcod Management areas [see Section 27.82(a)], depending on the level of lingcod, rockfish, cabezon, a subgroup of rockfish, and/or California scorpionfish, catch in each area, for part or all of the balance of the calendar year.

(f) Notice of closure: The department shall give the public and the National Marine Fisheries Service no less than 10 days notice of any fishery closure implemented pursuant to this Section via a department news release.

NOTE:

Authority cited: Sections 200, 202, 205, 215, 240, 7071 and 8587.1, Fish and Game Code. Reference: Sections 200, 202, 206, 215, 240 and 8585.5, Fish and Game Code.

Section 28.27, Title 14, CCR, is amended to read:

### **28.27. Lingcod.**

(a) Open Season and Area: Lingcod may not be taken from November 1 through December 31. See Section 27.82. Lingcod may not be taken or possessed by a person by hook and line fishing or by spear fishing during a northern, central or southern rockfish and lingcod closure unless provided for under Section 27.82(c).

(b) Limit: ~~Two~~One.

(c) Minimum size: ~~Twenty-four~~Thirty inches total length.

(d) Method of take: Not more than two hooks and one line. For purposes of this section, a hook is a single hook, or double or treble hook with multiple points connected to a common shank.

NOTE:

Authority cited: Sections 200, 202, 205, 215, 220 and 240, Fish and Game Code.

Reference: Sections 200, 202, 205, 206, 215, 220 and 240, Fish and Game Code.